

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
November 3, 2008**

Court convened at 9:00 a.m.

Panel 1  
Present:  
Ramirez, P.J.  
Hollenhorst, J.  
Miller, J.  
Elizabeth Ceballos, Deputy Clerk

**E045354      In re T.P. et al., Persons Coming Under the Juvenile Court  
Law.; Department of Public Social Services v. John P.**

Merits. Cause called and Leslie A. Barry, Esq., argued for appellant; Sophia H. Choi, Deputy County Counsel, argued for respondent; John L. Dodd, Esq., argued for the minors. Cause submitted.

Court recessed.

Court reconvened.

Panel 1a  
Present:  
Ramirez, P.J.  
Hollenhorst, J.  
Gaut, J.  
Elizabeth Ceballos, Deputy Clerk

**E044533      The People v. Timothy Willard**

Merits. Cause called and Richard De La Sota, Esq., argued for appellant; Scott C. Taylor, Deputy Attorney General, appeared for respondent and Michael H. Chen, certified law student argued for respondent. Cause submitted.

**Minutes**  
**November 3, 2008**

**E045177      In re J. J., a Person Coming Under the Juvenile Court Law.**  
**Department of Children's Services v. S.J. et al.**

Merits. Cause called and Karen Dodd, Esq., argued for appellant S.J.; Neale Bachmann Gold, Esq., argued for appellant A.G.; Jacqueline Carey-Wilson, Deputy County Counsel, argued for respondent; Sharon Rollo, Esq., argued for the minor. Cause submitted.

Court recessed.

Court reconvened.

Panel 1b

Present:

Ramirez, P.J.

McKinster, J.

Richli, J.

Deputy Clerk, Elizabeth Ceballos

**E044579      The People v. Clarence Roberts, Jr.**

Merits. Cause called and Philip M. Brooks, Esq., argued for appellant; Scott C. Taylor, Deputy Attorney General, appeared for respondent and Francis A. DiGiacco, certified law student argued for respondent. Cause submitted.

Court recessed.

Court reconvened.

Panel 1c

Present:

Richli, Acting P.J.

King, J.

Miller, J.

Elizabeth Ceballos, Deputy Clerk

**E042551      The People v. Gerard Gallo**

Merits. Cause called and Gordon S. Brownell, Esq., argued for appellant; Christine Levingston Bergman, Deputy Attorney General, argued for respondent. Cause submitted.

**Minutes**  
**November 3, 2008**

**E042956      The People v. Pieter Nievwenhvyzen**

**E044660      In re Pieter Nievwenhvyzen on Habeas Corpus.**

Merits. Cause called and Paul R. Ward, Esq., argued for appellant; Scott C. Taylor, Deputy Attorney General, appeared for respondent and Francis A. DiGiacco, certified law student argued for respondent. Cause submitted.

**E043375      Kathryn Bennett et al. v. Pacific Care Health Systems et al.**

Merits. Cause called and Russell S. Balisok, Esq., argued for appellants; Douglas J. Collodel, Esq., argued for respondents. Cause submitted.

**E043822      QTS and CTFC, LLC v. Privacywear, Inc.**

**E043823      QTS and CTFC, LLC v. Carolyn Jones**

Merits. Cause called and Brent Herbert Blakely, Esq., argued for appellants; Christopher Darin Glos, Esq., argued for respondents. Cause submitted.

Court recessed.

Court reconvened at 1:30 p.m.

Panel 2

Present:

McKinster, Acting P.J.

Richli, J.

King, J.

Sonia De Leon, Deputy Clerk

**E043472      The People v. Victor Garcia**

Merits. Counsel for appellant requested calendar priority. Request granted. Cause called and Alan Fenster, Esq., argued for appellant; Michael Murphy, Deputy Attorney General, argued for respondent. Cause submitted.

**E045009      The People v. Dana Carter**

Merits. Cause called and John L. Dodd, Esq., argued for appellant; Michael Murphy, Deputy Attorney General, argued for respondent. Cause submitted.

**Minutes**  
**November 3, 2008**

**E045196      In re D.H., a Person Coming Under the Juvenile Court Law.  
Department of Children's Services v. P.C. et al.**

Merits. Cause called and Jennifer Mack, Esq., made no appearance for appellant P.C.; Niccol Kording, Esq., argued for appellant U.H.; Sandra D. Baxter, Deputy County Counsel, argued for respondent; Karen Dodd, Esq., argued for the minor. Cause submitted.

**E042917      The People v. Pedro Rojas**

Merits. Cause called and Lauren E. Eskenazi, Esq., made no appearance for appellant; Michael Murphy, Deputy Attorney General, present for respondent. Cause submitted.

**E045358      In re A.W. et al., Persons Coming Under the Juvenile Court  
Law .; Department of Children's Services v. C.M.**

Merits. Cause called and Liana Serobian, Esq., argued for appellant; Sandra D. Baxter, Deputy County Counsel, argued for respondent; Janette F. Cochran, Esq., argued for the minors. Cause submitted.

**E045360      In re M. M., a Person Coming Under the Juvenile Court Law.  
Department of Children's Services v. T. M.**

Merits. Cause called and Maryann M. Milcetic, Esq., argued for appellant; Sandra D. Baxter, Deputy County Counsel, argued for respondent; William H. Hook, Esq., argued for the minor. Cause submitted.

Court adjourned.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
November 4, 2008**

The Court of Appeal, Fourth Appellate District, Division Two, met in special session at 9:30 a.m., at University of La Verne, College of Law, Ontario, California. Winifred Krall, court reporter.

Court convened at 9:30 a.m.

Panel 3  
Present:  
Ramirez, P.J.  
Hollenhorst, J.  
Miller, J.  
Kelly Conn, Deputy Clerk

**E041693      The People v. Mark Thomas**

Merits. Cause called and Marianne Harguindeguy Cox, Esq., argued for appellant; Kelley Johnson, Deputy Attorney General, argued for respondent. Cause submitted.

**E043977      The People v. Thomas Lane**

Merits. Cause called and Mark S. Devore, Esq., argued for appellant; Emily R. Hanks, Deputy Attorney General, argued for respondent. Cause submitted.

Court recessed.

Court reconvened.

Panel 3a  
Present:  
Hollenhorst, Acting P.J.  
Richli, J.  
Gaut, J.  
Kelly Conn, Deputy Clerk

**E041719      The People v. Daniel Lopez et al.**

Merits. Cause called and Waldemar D. Halka, Esq., argued for appellant Daniel Lopez; Carl Fabian, Esq., argued for appellant Luis Gonzalez; Christopher Beesley, Deputy Attorney General, argued for respondent. Cause submitted.

Court recessed.

**Minutes  
November 4, 2008**

Court reconvened.

Panel 3b

Present:

McKinster, Acting P.J.

Richli, J.

King, J.

Kelly Conn, Deputy Clerk

**E043031      The People v. Sergio Rodriguez;**  
**E045393      In re Sergio Rodriguez on Habeas Corpus**

Merits. Cause called and Diane L. Nichols, Esq., argued for appellant; Christopher Beesley, Deputy Attorney General, argued for respondent. Cause submitted.

**E042716      The People v. Damien Doster**

Merits. Cause called and Barbara A. Smith, Esq., argued for appellant; Emily R. Hanks, Deputy Attorney General, argued for respondent. Cause submitted.

Court adjourned.

The following cases were submitted this date:

**E044563      The People v. David Troy Robinson**  
**E043959      The People v. John William Evans**  
**E043639      In re Frederick Hill on Habeas Corpus**

**E044900      The People v. Bobby Enrique Patron**

**Opinion**

Judgment affirmed with directions.

Ramirez, P.J.

We concur: Richli, J., Miller, J.

**E045682      In re A.R. et al., Persons Coming Under the Juvenile Court Law.**  
**Department of Children's Services v. G.S.**

**Opinion**

Judgment affirmed.

Ramirez, P.J.

We concur: Richli, J., Miller, J.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
November 5, 2008**

Court convened at 9:00 a.m.

Panel 4  
Present:  
Hollenhorst, Acting P.J.  
Richli, J.  
Gaut, J.  
Mary Urena, Deputy Clerk

**E039187      Octavio Madrigal v. Leslie Fields**

Merits. Cause called and Kimberly J. Laliberte, Esq., appeared for appellant; E. Joan Nelms, Esq., appeared for respondent. Counsel for respondent requested for a continuance of oral argument. Request granted and matter taken off calendar.

**E043554      Carl Polage v. City of Ontario**

Merits. Cause called and Glenn A. Brown, Esq., argued for appellant; Don R. Sampen, Esq., argued for respondent; Michael W. Goodin, Esq., appeared for respondent. Cause submitted.

Court recessed.

Court reconvened.

Panel 4a  
Present:  
Ramirez, P.J.  
Richli, J.  
King, J.  
Mary Urena, Deputy Clerk

**Minutes**  
**November 5, 2008**

**E043187      Riverside County Sheriff's Department v. Louis Zigman; Astrid Reynolds**

Merits. Cause called and Peter Francis Murray, Esq., argued for appellant; Kelly Renee McGrane-Irwin, Esq., argued for respondent. Cause submitted.

**E040236/      In re the Marriage of Roland and June Romero.**  
**E041131/      Roland Romero v. June Romero**  
**E043640**

Merits. Cause called and Roland Romero, in propria persona, made no appearance on his own behalf; Brad Jefferson Landon, Esq., made no appearance for respondent. Cause submitted.

**E042200      Chandra Family Trust 851 et al. v. Countrywide Home**  
**E043578      Loans, Inc.**

Merits. Cause called and Robert E. Dougherty, Esq., argued for appellants Chandra Family Trust 851 et al.; Douglas E. Winter, Esq., argued for appellant Countrywide Home Loans, Inc.; Jennifer A. Jackson, Esq., appeared for appellant Countrywide Home Loans, Inc. Cause submitted.

**E043648      Pecuniary Capital, LLC et al. v. Orchard Heights Development, LLC**

Merits. Cause called and Michael Dennis McCaffrey, Esq., argued for appellants; Jay Stein, Esq., argued for respondent. Cause submitted.

**E043770      In re the Marriage of Michael Brooks and Annikkawa Robinson;**  
**Michael Brooks v. Annikkawa Robinson; Executive Capital**  
**Group, Inc.**

Merits. Cause called and Michael W. Brooks argued as appellant in propria persona; Richard Barry Somers, Esq., argued for respondent Executive Capital Group. Cause submitted.

Court recessed.

Court reconvened at 1:30 p.m.



**Minutes**  
**November 5, 2008**

Panel 5  
Present:  
McKinster, Acting P.J.  
Gaut, J.  
Miller, J.  
Belinda Ramirez, Deputy Clerk

**E043856      In re the Marriage of Mary Lou and David Stagner.**  
**Mary Lou Stagner v. David Stagner**

Merits. Cause called and Andrew Francis Linehan, Esq., argued for appellant; Jim Husen, Esq., argued for respondent. Cause submitted.

Court recessed.

Court reconvened.

Panel 5a  
Present:  
Hollenhorst, Acting P.J.  
McKinster, J.  
Miller, J.  
Belinda Ramirez, Deputy Clerk

**E044022      Estate of Bruce Schaad, Deceased; Ruby Don v. Kristina Loriaux**

Merits. Cause called and Joan J. Bennett, Esq., argued for appellant; Marjorie G. Fuller, Esq., argued for respondent. Cause submitted.

**E044287      Leisha Hendrix et al. v. The Superior Court of San Bernardino**  
**et al.**

Merits. Cause called and Dennis J. Hayes, Esq., argued for appellants; Robert A. Naeve, Esq., argued for respondents. Cause submitted.

**E044397      Sikh Temple of Riverside v. Dedar Goraya**

Merits. Cause called and Harry J. Histen, Esq., argued for appellant; no appearance for respondent. Cause submitted.

**Minutes**  
**November 5, 2008**

**E044587      In re the Marriage of Clifford and Dana Webb.**  
**Clifford Webb v. Dana Webb**

Merits. Cause called and Dana Webb argued as appellant in propria persona;  
Robert A. McCarty, Esq., argued for respondent. Cause submitted.

Court adjourned.

**E044332      HMY New Yacht Sales, Inc. et al. v.      Opinion**  
**Brunswick Corporation et al.**

Judgment affirmed.  
McKinster, Acting P.J.  
We concur: Gaut, J., King, J.

**E042364      Cecelia Lewis v. Daybreak Group, Inc.      Opinion**

Judgment affirmed.  
Ramirez, P.J.  
We concur: Gaut, J., King, J.

**E044284      Thomas J. Forney v. John C. Forney, as Trustee, etc., et al.      Opinion**

Judgment reversed.  
Ramirez, P.J.  
We concur: Gaut, J., King, J.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
November 6, 2008**

Court convened at 9:30 a.m.

Panel 6  
Present:  
Ramirez, P.J  
Hollenhorst, J.  
Richli, J.  
Michelle Parlapiano, Deputy Clerk

**E042318      Conservatorship of Person & Estate of John McElroy.  
Gary McElroy v. Carol Kravagna**

Merits. Cause called and Douglas L. Mahaffey, Esq., argued for appellant;  
William R. DeWolfe, Esq., argued for respondents. Cause submitted.

Court recessed.

Court reconvened at 10:00 a.m.

**E041425      State of California v. Continental Company et al.; Employers  
Insurance of Wausau**

Merits. Cause called and Roger W. Simpson, Esq. and Robert M.  
Horkovich, Esq., argued for appellant State of California; Paul Edward Glad, Esq. and  
Steven M. Crane, Esq., argued for appellants Continental Insurance Company et al.  
Cause submitted.

Court adjourned.

**The following cases were submitted this date:**

<b>E045916</b>	<b>The People v. Lester McGary</b>
<b>E045816</b>	<b>The People v. Miguel Fierro</b>
<b>E045210</b>	<b>In re T.L., a Person Coming Under the Juvenile Court Law</b>
	<b>The People v. T.L.</b>
<b>E043537</b>	<b>The People v. Anthony Conners</b>
<b>E044792</b>	<b>The People v. Jerry W. Dorsey</b>

**Minutes**  
**November 6, 2008**

**E042956      The People v. Pieter Nievwenhvyzen**

**Opinion**

Judgment affirmed.

**E044660\*      In re Pieter Nievwenhvyzen on Habeas Corpus**

Petition denied.

Richli, Acting P.J.

We concur: King, J., Miller, J.

**\*Petition to be considered with appeal.**

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
November 7, 2008**

No Minutes for November 7, 2008.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
November 10, 2008**

- E042200      Chandra Family Trust 851 et al. v. Countrywide Home Loans, Inc.**  
**E043578\*      Chandra Family Trust 851 et al. v. Countrywide Home Loans, Inc.**  
Judgment affirmed in part and reversed in part with directions. **Opinion**  
Richli, J.  
We concur: Ramirez, P.J., King, J.  
**\*Consolidated for briefing, oral argument and decision.**
- E040236      In re the Marriage of Roland and June Romero.      Opinion**  
**E041131\*      Roland Romero v. June Romero**  
**E043640\***  
Judgment affirmed with directions.  
Richli, J.  
We concur: Ramirez, P.J., King, J.  
**\*Consolidated for oral argument and decision.**
- E043375      Kathryn Bennett et al. v. Pacificare Health      Opinion**  
**Systems, LLC et al.**  
Judgment reversed.  
Richli, Acting P.J.  
We concur: King, J, Miller, J.
- E042551      The People v. Gerard John Gallo      Opinion**  
Judgment reversed and remanded with directions.  
Richli, Acting P.J.  
We concur: King, J, Miller, J.
- E043822      QTS & CTFC, L.L.C. v. Privacywear, Inc.      Opinion**  
**E043823\*      QTS & CTFC, LLC v. Carolyn M. Jones**  
Judgment reversed.  
Richli, Acting P.J.  
We concur: King, J., Miller, J.  
**\*Consolidated for briefing, oral argument and decision.**
- E044563      The People v. David Troy Robinson      Opinion**  
Judgment affirmed in part and reversed in part.  
Richli, J.  
We concur: Ramirez, P.J., McKinster, J.

**Minutes  
November 10, 2008**

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|----------------|---|----------------|
| <b>E043639</b> | <b>In re Frederick Hill on Habeas Corpus</b><br>Order affirmed in part and reversed in part with directions.<br>Richli, J.<br>We concur: McKinster, Acting P.J., King, J. | <b>Opinion</b> |
| <b>E045009</b> | <b>The People v. Dana Derrell Carter</b><br>Judgment affirmed as modified.<br>Richli, J.<br>We concur: McKinster, Acting P.J., King, J.                                   | <b>Opinion</b> |
| <b>E042716</b> | <b>The People v. Damien T. Doster</b><br>Judgment affirmed.<br>Richli, J.<br>We concur: McKinster, Acting P.J., King, J.  | <b>Opinion</b> |

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
November 11, 2008**

Holiday.



**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
November 12, 2008**

**The following cases are submitted this date:**

<b>E044067</b>	<b>The People v. Russell Reeves</b>
<b>E044835</b>	<b>In re M.R., a Person Coming Under the Juvenile Court Law. People v. M.R.</b>
<b>E044135</b>	<b>Russell Branton, Inc. v. Gerald Castle</b>
<b>E044317</b>	<b>People v. Troy Jones</b>
<b>E045505</b>	<b>In re P.M., a Person Coming Under the Juvenile Court Law. Department of Public Social Services v. H.A.</b>
<b>E044581</b>	<b>People v. Cesar Partida</b>
<b>E044016</b>	<b>People v. Gabriel Ruiz</b>
<b>E045479</b>	<b>People v. Reynaldo Ramirez</b>
<b>E043855</b>	<b>Wat Phra Buddha Chinnaraj Buddhist Temple of Chino Hills v. Oravan Ketpongsuda</b>
<b>E043829</b>	<b>People v. Raymond Navarro</b>
<b>E044740</b>	<b>In re K.A. et al., Persons Coming Under the Juvenile Court Law. Department of Children's Services v. T.E. et al.</b>
<b>E045766</b>	<b>In re J.A. et al., Persons Coming Under the Juvenile Court Law. Department of Public Social Services v. J.D.</b>
<b>E045648</b>	<b>The People v. William Garcia</b>
<b>E045777</b>	<b>The People v. Victor Garcia</b>
<b>E046338</b>	<b>C.H. v. Superior Court; Department of Public Social Services</b>

<b>E042369</b>	<b>Torab Ahmadi v. Paul Alford, as Trustee, etc.</b>	<b>Order</b>
	<b>The petition for rehearing filed October 31, 2008 is granted. Respondent is requested to serve and file on or before 15 days after the date of this order a response to the petition.</b>	

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
November 13, 2008**

No Minutes for November 13, 2008.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
November 14, 2008**

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|----------------|---|----------------|
| <b>E043855</b> | <b>Wat Phra Budda Chinnaraj Buddhist Temple of Chino Hills v. Oravan Ketpongsuda et al.</b> | <b>Opinion</b> |
|                | Judgment affirmed.<br>King, J.<br>We concur: McKinster, Acting P.J., Gaut, J.               |                |
| <b>E045752</b> | <b>The People v. Robert Daniel Moore</b>  | <b>Opinion</b> |
|                | Judgment affirmed.<br>Richli, J.<br>We concur: Ramirez, P.J., Miller, J.                    |                |
| <b>E043451</b> | <b>John F. Firestone et al. v. Allen Matkins Leck Gamble &amp; Mallory LLP et al.</b>       | <b>Order</b>   |
|                | Petition for rehearing denied.  |                |
| <b>E043732</b> | <b>The People v. Jose Rogelio Ibarra</b>  | <b>Opinion</b> |
|                | Judgment affirmed.<br>McKinster, Acting P.J.<br>We concur: Gaut, J., King, J.               |                |
| <b>E044079</b> | <b>The People v. Donald Darrell King</b>  | <b>Opinion</b> |
|                | Judgment affirmed.<br>McKinster, Acting P.J.<br>We concur: Richli, J., King, J.             |                |

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
November 17, 2008**

**The following case has been submitted this date:**

**E045889      The People v. Bobby Purcell**

<b>E044497      The People v. Robert Eugene Dumire</b>	<b>Opinion</b>
Judgment affirmed.	
Gaut, J.	
We concur: McKinster, Acting P.J., King, J.	

<b>E042064      The People v. Karen Lee Sims</b>	<b>Opinion</b>
Judgment affirmed.	
Gaut, J.	
We concur: Ramirez, P.J., McKinster, J.	

<b>E045360      In re M. M., a Person Coming Under the Juvenile Court Law. Department of Children's Services v. T. M.</b>	<b>Opinion</b>
Judgment affirmed.	
King, J.	
We concur: McKinster, Acting P.J., Richli, J.	

<b>E044068      The People v. Sandra Mariela Zuazo</b>	<b>Opinion</b>
Judgment affirmed.	
Gaut, J.	
We concur: McKinster, Acting P.J., King, J.	

<b>E041505      The People v. Sanfore Anderson</b>	<b>Order</b>
The cause is submitted	

<b>E041505      The People v. Sanfore Anderson</b>	<b>Opinion</b>
Judgment reversed with directions.	
Ramirez, P.J.	
We concur: Hollenhorst, J., Gaut, J.	

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
November 18, 2008**

**The following case has been submitted this date:**

- E045931      In re T.D., a Person Coming Under the Juvenile Court Law  
San Bernardino County Department of Children's Services v. J.D.**
- E043856      In re the Marriage of Mary Lou Stagner and David Stagner.      Opinion  
Mary Lou Stagner v. David Stagner  
Judgment affirmed.  
Gaut, J.  
We concur: McKinster, Acting P.J., Miller, J.**
- E044016      The People v. Gabriel Vincent Ruiz      Opinion  
Judgment affirmed with directions.  
King, J.  
We concur: McKinster, Acting P.J., Richli, J.**
- E045196      In re D.H., a Person Coming Under the Juvenile Court Law.      Opinion  
Department of Children's Services v. P.C. et al.,  
Judgment affirmed.  
King, J.  
We concur: McKinster, Acting P.J., Richli, J.**
- E045278      In re E.B., a Person Coming Under the Juvenile Court Law.      Opinion  
Department of Public Social Services v. E.B.  
Judgment affirmed.  
Gaut, J.  
We concur: McKinster, Acting P.J., King, J.**
- E043959      The People v. John William Evans      Opinion  
Judgment affirmed.  
King, J.  
We concur: McKinster, Acting P.J., Richli, J.**
- E044579      The People v. Clarence Roberts, Jr.      Opinion  
Judgment affirmed.  
McKinster, J.  
We concur: Ramirez, P.J., Richli, J.**

**Minutes  
November 18, 2008**

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| <b>E045329</b> | <b>The People v. Craig Everhart</b><br>Judgment affirmed as modified.<br>Ramirez, P.J.<br>We concur: Richli, J., Miller, J.   | <b>Opinion</b> |
| <b>E044828</b> | <b>The People v. Robert Forest Bobbitt</b><br>Judgment affirmed.<br>Ramirez, P.J.<br>We concur: Richli, J., Miller, J.  | <b>Opinion</b> |
| <b>E043078</b> | <b>The People v. Pablo Perez</b><br>Judgment affirmed with directions.<br>Ramirez, P.J.<br>We concur: Richli, J., Miller, J.  | <b>Opinion</b> |
| <b>E044107</b> | <b>The People v. Tyrone Ingram</b><br>Judgment affirmed.<br>Richli, J.<br>We concur: Ramirez, P.J., Miller, J.  | <b>Opinion</b> |
| <b>E045307</b> | <b>The People v. Craig Alan Steinwand</b><br>Judgment affirmed.<br>Richli, J.<br>We concur: Ramirez, P.J., Miller, J.   | <b>Opinion</b> |
| <b>E044287</b> | <b>Leisha Hendrix et al. v. The Superior Court of San Bernardino et al.</b><br><br>Judgment reversed.<br>McKinster, J.<br>We concur: Hollenhorst, Acting P.J., Miller, J.                           | <b>Opinion</b> |
| <b>E043648</b> | <b>Pecuniary Capital, LLC et al. v. Orchard Heights Development, LLC</b><br><br>Judgment reversed in part and affirmed in part with directions.<br>King, J.<br>We concur: Ramirez, P.J., Richli, J. | <b>Opinion</b> |

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
November 19, 2008**

**The following cases have been submitted this date:**

<b>E045843</b>	<b>In re B.B. et al., Persons Coming Under the Juvenile Court Law Department of Children's Services v. T.B.</b>
<b>E045761</b>	<b>In re K.D. et al., Persons Coming Under the Juvenile Court Law Department of Public Social Services v. A. S.</b>
<b>E044655</b>	<b>In re J.W., a Person Coming Under the Juvenile Court Law The People v. J.W.</b>
<b>E045067</b>	<b>The People v. Riad Jacob Khouri</b>
<b>E044354</b>	<b>The People v. Melvin Lamar Hodge</b>
<b>E044864</b>	<b>The People v. Matthew Charles Jokinen</b>
<b>E045428</b>	<b>The People v. Juan Mendoza</b>
<b>E046145</b>	<b>The People v. Michael J. Kennedy</b>

<b>E046878</b>	<b>Alza Corporation et al. v. Superior Court; Sandra Ray et al.</b>	<b>Opinion</b>
	Petition granted in part; denied in part. McKinster, Acting P.J. I concur: Richli, J. I dissent: King, J.	

<b>E044399</b>	<b>Estate of Willie William Vernon, Deceased. Bryan Vernon v. Darlene Neubauer, as Executor, etc.</b>	<b>Opinion</b>
	Judgment affirmed. McKinster, Acting P.J. We concur: Richli, J., Miller, J.	

<b>E044803</b>	<b>The People v. Abdelkader Morceli</b>	<b>Opinion</b>
	Judgment affirmed. Ramirez, P.J. We concur: Gaut, J., Miller, J.	

<b>E043083*</b>	<b>The People v. Mario Cristobal Rabanales</b>	<b>Opinion</b>
	Judgment affirmed. Ramirez, P.J. We concur: Hollenhorst, J., Miller, J. <b>* Certified for publication.</b>	

**Minutes**  
**November 19, 2008**

**E045211      The People v. James Witbaard**

**Opinion**

Judgment affirmed.

Ramirez, P.J.

We concur: Richli, J., Miller, J.

**E045505      In re P.M., a Person Coming Under the Juvenile Court Law. Opinion**  
**Department of Public Social Services v. H.A.**

Judgment affirmed.

Ramirez, P.J.,

We concur: Gaut, J., Miller, J.



**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
November 20, 2008**

**The following cases have been submitted this date:**

<b>E045998</b>	<b>In re J.R., a Person Coming Under the Juvenile Court Law Department of Public Social Services v. M.R.</b>
<b>E045955</b>	<b>The People v. Coliss Williams</b>
<b>E043286</b>	<b>The People v. Charles Richard Olson</b>
<b>E044196</b>	<b>Developers Surety and Indemnity Company v. William Alvin Lee</b>
<b>E046676</b>	<b>M.A. v. Superior Court; Department of Public Social Services</b>

<b>E042917</b>	<b>The People v. Pedro Reyes Rojas</b>	<b>Opinion</b>
	Judgment affirmed in part; reversed in part with directions. King, J. We concur: McKinster, Acting P. J., Richli, J.	

<b>E045671</b>	<b>The People v. Eric Eugene Hopkins</b>	<b>Order</b>
	Pursuant to California Rules of Court, rule 8.256, the submission is vacated. A tentative opinion is being issued and the cause will be resubmitted either after waivers of oral argument have been received or once the matter has been argued.	

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
November 21, 2008**

**The following case is submitted this date:**

**E046525      N.O. v. Superior Court; Department of Children's Services**

**E043962      The People v. Willie Lavern Hickman      Opinion**  
Judgment affirmed.  
Hollenhorst, Acting P.J.  
We concur: Gaut, J., King, J.

**E045868      In re K.W., a Person Coming Under the Juvenile Court Law.  
Department of Children's Service v. W.W      Opinion**  
Judgment reversed.  
Miller, J.  
We concur: Ramirez, P.J., Richli, J.

**E045177      In re J.J., a Person Coming Under the Juvenile Court Law.  
Department of Children's Services v. S.J. et al.      Opinion**  
Judgment affirmed.  
Hollenhorst, J.  
We concur: Ramirez, P.J., Gaut, J.

**E043977      The People v. Thomas Mack Lane      Opinion**  
Judgment affirmed.  
Hollenhorst, J.  
We concur: Ramirez, P.J., Miller, J.

**E045028      The People v. James Jammar Kelley      Opinion**  
Judgment affirmed in part as modified; dismissed in part.  
Hollenhorst, Acting P.J.  
We concur: Gaut, J., King, J.

**E044067      The People v. Russell Allen Reeves      Opinion**  
Judgment affirmed.  
Gaut, J.  
We concur: Ramirez, P.J., Miller, J.

**Minutes**  
**November 21, 2008**

- E042968      Kenneth Pine v. John Caranci, Jr., as Trustee, etc. et al. Opinion**  
Judgment affirmed.  
McKinster, J.  
We concur: Ramirez, P.J., Miller, J.
- E044397      Sikh Temple of Riverside v. Dedar Goraya      Opinion**  
Judgment affirmed.  
McKinster, J.  
We concur: Hollenhorst, Acting P.J., Miller, J.
- E045067      The People v. Riad Jacob Khouri      Opinion**  
Judgment affirmed.  
Ramirez, P.J.  
We concur: King, J., Miller, J.
- E046794      City of Riverside v. The Superior Court of      Opinion**  
**Riverside County; Arline Juarez**  
Petition granted by opinion  
Gaut, Acting P.J.  
We concur: Hollenhorst, J., McKinster, J.
- E045766      In re J.A. et al., Persons Coming Under the Juvenile Court Law.**  
**Department of Public Social Services v. J.D.      Opinion**  
Judgment affirmed.  
Gaut, J.  
We concur: Ramirez, P.J., Miller, J.
- E044062      The People v. Ahmodn Jamaal Thomas      Opinion**  
Judgment affirmed.  
Hollenhorst, Acting P.J.  
We concur: Gaut, J., King, J.
- E046144      In re N.S., a Person Coming Under the Juvenile Court Law.**  
**The People v. N.S.      Opinion**  
Judgment affirmed.  
McKinster, Acting P.J.  
We concur: Richli, J., King, J.
- E043221      The People v. Raynard Vincent Darrett      Opinion**  
Judgment affirmed in part and reversed in part with directions.  
Hollenhorst, Acting P.J.  
We concur: Gaut, J., King, J.

**Minutes  
November 21, 2008**

- E044135      Russell Branton, Inc. v. Gerald Castle      Opinion**  
Judgment affirmed.  
Gaut, J.  
We concur: McKinster, Acting P.J., King, J.
- E044740      In re K.A. et al., Persons Coming Under the Juvenile Court Law.  
Department of Children's Services v. T.E. et al.      Opinion**  
Judgment affirmed.  
Gaut, J.  
We concur: Ramirez, P.J., Miller, J.
- E039986      The People v. Kimberly Louise Long      Opinion**  
Judgment affirmed.  
Miller, J.  
We concur: Ramirez, P.J., Hollenhorst, J.
- E045811      In re A.Y. et al., Persons Coming Under the Juvenile Court Law.  
Department of Public Social Services v. T.F.      Opinion**  
Judgment affirmed.  
Hollenhorst, Acting P.J.  
We concur: Gaut, J., King, J.
- E042743      The People v. Jonathon David Patzer      Opinion**  
Judgment affirmed.  
Hollenhorst, Acting P.J.  
We concur: Gaut, J., King, J.
- E042070      The People v. Terri Lynn Chaffee      Opinion on Remand**  
**E043099\*      The People v. Terri Lynn Chaffee**  
Judgment affirmed.  
King, J.  
We concur: Hollenhorst, Acting P.J., Richli, J.  
**\*Consolidated for briefing, oral argument and decision.**
- E037490      The People v. Ignacio Aguillar et al.      Opinion on Remand**  
Judgment affirmed in part and reversed in part with directions.  
King, J.  
We concur: Hollenhorst, Acting P.J., Richli, J.
- E044883      The People v. Jacob Lee Tellis      Opinion**  
Judgment affirmed.  
Hollenhorst, Acting P.J.  
We concur: Gaut, J., King, J.

**Minutes  
November 21, 2008**

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| <b>E041693</b>  | <b>The People v. Mark Edward Thomas</b><br>Judgment affirmed with directions.<br>Ramirez, P.J.<br>We concur: Hollenhorst, J., Miller, J.   | <b>Opinion</b> |
| <b>E046014</b>  | <b>The People v. Karla Diane Malone</b><br>Judgment affirmed.<br>Ramirez, P.J.<br>We concur: Richli, J., Miller, J.  | <b>Opinion</b> |
| <b>E043554</b>  | <b>Carl Polage v. City of Ontario</b><br>Judgment affirmed.<br>Gaut, J.<br>We concur: Hollenhorst, Acting P.J., Richli, J.   | <b>Opinion</b> |
| <b>E046060</b>  | <b>The People v. Clement Isadore Leach, Jr.</b><br>Judgment affirmed.<br>Hollenhorst, Acting P.J.<br>We concur: Gaut, J., King, J.   | <b>Opinion</b> |
| <b>E043031</b>  | <b>The People v. Sergio Navarro Rodriguez</b><br>Judgment affirmed in part and reversed in part.   | <b>Opinion</b> |
| <b>E045393*</b> | <b>In re Sergio Navarro Rodriguez on Habeas Corpus.</b><br>Petition denied.<br>McKinster, Acting P.J.<br>We concur: Richli, J., King, J.<br><b>*Petition to be considered with appeal.</b> |                |
| <b>E044720</b>  | <b>The People v. Jose M. Montalvo, Jr.</b><br>Judgment affirmed.<br>Ramirez, P.J.<br>We concur: Gaut, J., Miller, J.   | <b>Opinion</b> |
| <b>E043951</b>  | <b>In re R.U., a Person Coming Under the Juvenile Court Law.</b><br><b>The People v. R.U.</b><br>Judgment affirmed.<br>Hollenhorst, Acting P.J.<br>We concur: Gaut, J., King, J.           | <b>Opinion</b> |

# Minutes

**November 21, 2008**

**E044655      In re J.W., a Person Coming Under the Juvenile Court Law.**

## The People v. J.W.

## Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: Gaut, J. Miller, J.

**E044810**      **Bishop Plaza, LLC v. Mohammad Eslamieh et al.**

## Opinion

Judgment affirmed.

Hollenhorst, Acting P.J.

We concur: Gaut, J., King, J.

**E045790      In re D.J. et al., Persons Coming Under the Juvenile Court Law.**

**Department of Children's Services v. L.C. et al.**

## Opinion

Judgment affirmed.

Hollenhorst, Acting P.J.

We concur: Gaut, J., King, J.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
November 24, 2008**

<b>E046488</b>	<b>The People v. Thomas Arthur Brooks</b>	<b>Order</b>
<b>E047045</b>	<b>The People v. Thomas Arthur Brooks</b>	

On court's own motion, appeals in case numbers E046488 and E047045 are consolidated for all purposes. Case number E046488 is designated the master file.

<b>E046908</b>	<b>The People v. James Eugene Williams</b>	<b>Order</b>
<b>E046977</b>	<b>The People v. James Eugene Williams</b>	

On court's own motion, appeals in case numbers E046908 and E046977 are consolidated for all purposes. Case number E046908 is designated the master file.

<b>E041640</b>	<b>Ernst Hammermueller v. North American Company for Life and Health Insurance</b>	<b>Order</b>
<b>E045194*</b>	<b>Ernst Hammermueller v. North American Company for Life and Health Insurance</b>	

Petition for rehearing granted.

McKinster, Acting P.J.

We concur: Gaut, J., King, J.

**\*Consolidated for purposes of oral argument and decision.**

<b>E045298</b>	<b>W. Richard Maudsley v. Mohammad Eslamieh et al.</b>	<b>Opinion</b>
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Judgment affirmed.

Hollenhorst, Acting P.J.

We concur: Gaut, J., King, J.

<b>E043669</b>	<b>In re S.W. et al., Persons Coming Under the Juvenile Court Law. Department of Public Social Services v. T.W. et al.</b>	<b>Opinion</b>
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Judgment reversed.

McKinster, Acting P.J.

We concur: Gaut, J., King, J.

<b>E042724</b>	<b>Friends of Riverside's Hills v. City of Riverside et al; Rancho La Sierra West Partnership et al.</b>	<b>Opinion</b>
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It is so ordered that said opinion filed October 24, 2008, be certified for publication pursuant to California Rules of Court, rule 8.1105(b).

Ramirez, P.J.

We concur: Gaut, J., King, J.

**Minutes**  
**November 24, 2008**

**E044479      Northern California Universal Enterprise Company, Inc. v.      Opinion**  
**Gerald Chester Kokoszka, et al.**

Judgment affirmed.

Hollenhorst, Acting P.J.

We concur: Gaut, J., King, J.

**E041719      The People v. Daniel David Lopez et al.      Opinion**

Judgment affirmed in part; reversed in part with directions.

Gaut, J.

We concur: Hollenhorst, Acting P.J., Richli, J.



**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
November 25, 2008**

**The following cases have been submitted this date:**

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|-----------------|---|----------------|
| <b>E044203</b>  | <b>In re D.S. a Minor Coming Under the Juvenile Court Law<br/>The People v. D. S.</b>   |                |
| <b>E044530</b>  | <b>The People v. Doug Mann</b>  |                |
| <b>E043587</b>  | <b>The People v. Davictor Griffith</b>  |                |
| <b>E043658</b>  | <b>The People v. Nathan Loza</b>  |                |
| <b>E045931</b>  | <b>In re T. D., a Minor Coming Under the Juvenile Court Law<br/>Department of Children's Services v. J. D.</b>  |                |
| <b>E044753</b>  | <b>In re G.S., a Minor Coming Under the Juvenile Court Law<br/>Department of Public Social Services v. M.S. et al.</b>  |                |
| <b>E045956</b>  | <b>In re K.R., et al., Minors Coming Under the Juvenile Court Law<br/>Department of Children's Services v. Q.D. et al.</b>  |                |
| <b>E045328</b>  | <b>In re J.R., a Minor Coming Under the Juvenile Court Law<br/>Department of Children's Services v. E.E.</b>  |                |
| <b>E045992</b>  | <b>In re E.E. on Habeas Corpus.</b>   |                |
| <b>E046147</b>  | <b>In re D.M., et al., Minors Coming Under the Juvenile Court Law<br/>Department of Children's Services v. A.W.</b>   |                |
| <b>E046197</b>  | <b>In re J.V., et al., Minors Coming Under the Juvenile Court Law<br/>Department of Children's Services v. J.V.</b>   |                |
| <b>E045004</b>  | <b>Gerald Hanson v. James DeAguilera et al.</b>   |                |
| <b>E045341</b>  | <b>Mary Armijo-Richmond v. The Governing Board of Ontario-<br/>Montclair School District et al.</b>   |                |
| <br>            |   |                |
| <b>E045002</b>  | <b>Estate of Marilyn Hustedt Yokaitis, Deceased.<br/>Heidi Morandini v. Donald Yokaitis</b>   | <b>Opinion</b> |
|                 | Judgment affirmed.<br>McKinster, J.<br>We concur: Ramirez, P.J., Miller, J.   |                |
| <br>            |   |                |
| <b>E042254*</b> | <b>The People v. Jesus Alberto Galvan et al.</b>  | <b>Opinion</b> |
|                 | Judgment affirmed as modified and remanded for further proceedings.<br>Hollenhorst, Acting P.J.<br>We concur: Gaut, J., King, J.<br>*Certified for partial publication. |                |

**Minutes**  
**November 25, 2008**

- E045763\*      In re I.I. et al., Persons Coming Under the Juvenile Court Law**  
**Department of Children's Services v. S.I.      Opinion**  
Judgment affirmed.  
Hollenhorst, Acting P.J.  
We concur: Gaut, J., King, J.  
**\*Certified for publication.**
- E040370      The People v. Jon-Pierre Ricketts et al.      Order**  
The submission is hereby vacated and the cause is resubmitted. Additional research and case review are required before making a final decision in this matter.  
King, J.  
We concur: Ramirez, P.J., Miller, J.
- E042318      Conservatorship of the Person and Estate of John L. McElroy.**  
**Gary S. McElroy, as Conservator, etc. et al. v. Carol Kravagna      Opinion**  
Judgment affirmed.  
Hollenhorst, J.  
We concur: Ramirez, P.J., Richli, J.
- E045358      In re A.W. et al., Persons Coming Under the Juvenile Court Law.**  
**Department of Children's Services v. C.M.      Opinion**  
Judgment reversed.  
Richli, J.  
We concur: McKinster, Acting P.J., King, J.
- E045451      The People v. David Calvin Williamson      Opinion**  
Judgment affirmed.  
Hollenhorst, Acting P.J.  
We concur: Gaut, J., King, J.
- E043571      David Gallardo v. The City of Desert Hot Springs et al.      Opinion**  
Judgment affirmed.  
McKinster, J.  
We concur: Ramirez, P.J., Miller, J.
- E045931      In re T.D., a Person Coming Under the Juvenile Court Law.**  
**Department of Children's Services v. J.D.      Opinion**  
Judgment affirmed.  
Ramirez, P.J.  
We concur: Richli, J., Miller, J.

**Minutes**  
**November 25, 2008**

- E044835      In re M.R., a Person Coming Under the Juvenile Court Law.**  
**The People v. M.R.** **Opinion**  
Judgment affirmed.  
Richli, J.  
We concur: McKinster, Acting P.J., King, J.
- E043829      The People v. Raymond Manuel Navarro** **Opinion**  
Judgment affirmed.  
Ramirez, P.J.  
We concur: Gaut, J., Miller, J.
- E045399      In re Q.S. et al., Persons Coming Under the Juvenile Court Law.**  
**Department of Public Social Services v. S.S.** **Opinion**  
Judgment affirmed.  
McKinster, Acting P.J.  
We concur: Richli, J., King, J.
- E045665      The People v. Marco Carlos Amezola** **Opinion**  
Judgment affirmed with directions.  
Richli, J.  
We concur: Ramirez, P.J., Miller, J.
- E043472      The People v. Victor Garcia** **Opinion**  
Judgment affirmed.  
King, J.  
We concur: McKinster, Acting P.J., Richli, J.
- E046045      The People v. Carla Rose Collins** **Opinion**  
Judgment affirmed.  
Gaut, J.  
We concur: Ramirez, P.J., Miller, J.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
November 26, 2008**

**The following case is submitted this date:**

**E046625      Y.H. v. Superior Court; Department of Children's Services**

**E046854      Jim Anthony Torro v. The Appellate Division of the      Opinion  
Superior Court of Riverside County; The People**

Petition granted by opinion.

Gaut, Acting P.J.

We concur: Hollenhorst, J., McKinster, J.

**E043031      The People v. Sergio Rodriguez      Modification of Opinion**

**E045393\*      In re Sergio Rodriguez on Habeas Corpus.**

No change in judgment.

McKinster, Acting P.J.

We concur: Richli, J., King, J.

**\*Petition to be considered with appeal.**

**E045301      The People v. David Diego Rodriguez      Opinion**

Judgment affirmed.

Richli, J.

We concur: McKinster, Acting P.J., King, J.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
November 27, 2008**

Holiday.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
November 28, 2008**

Holiday.